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10 Attorneys for Defendants  
11 GUIDANT CORPORATION, GUIDANT SALES  
12 CORPORATION, CARDIAC PACEMAKERS, INC.,  
13 and BOSTON SCIENTIFIC CORPORATION

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 (SAN FRANCISCO DIVISION)

17 PJH

18 EINAR NELSEN, individually and as successor ) Case No. C 06-05170 JCS  
19 in interest to decedent, CECELIA NELSEN )  
20 )

21 Plaintiffs, ) AMENDED STIPULATION AND  
22 ) [PROPOSED] ORDER TO CONTINUE  
23 vs. ) PRETRIAL DEADLINES

24 GUIDANT CORPORATION; GUIDANT )  
25 SALES CORPORATION; CARDIAC )  
26 PACEMAKERS, INC.; BOSTON SCIENTIFIC )  
27 CORPORATION; JOHN MUIR HEALTH; and )  
28 Does 1 through 100, inclusive, )

29 Defendants. )  
30 )  
31 )  
32 )

33 IT IS HEREBY STIPULATED by and between the parties through their designated counsel  
34 that the deadline for Defendants to answer or otherwise respond to Plaintiffs' Complaint in this  
35 action should be extended. Defendants seek to transfer this case to the Multi-District Litigation  
36 proceeding established in the United States District Court, District of Minnesota ("MDL court"), and  
37 Plaintiffs have indicated that they will soon be filing a motion to remand this case to state court.  
38 Accordingly, the following deadlines will be modified as follows:

The deadline for Defendants to file an answer or otherwise respond to Plaintiffs' complaint shall be as follows:

(a) if the case is not remanded to state court, and is transferred to the MDL court, any response will be due pursuant to a deadline set by the MDL court;

(b) if the case is not remanded and also is not transferred to the MDL court, any response will be due thirty (30) days after the decision by the JPML denying transfer to the MDL court; or

(c) if the case is remanded, any response will be due thirty (30) days after the remand decision by this Court.

The parties also stipulate that the November 20, 2006, case management conference will be continued for sixty (60) days until January 25, 2007. All other deadlines will be set pursuant to Federal and local rule.

## IT IS SO STIPULATED.

DATED: September 1, 2006

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

By: Dana N. Gwaltney  
Sarah J. Romano

Atorneys for Defendants  
GUIDANT CORPORATION, GUIDANT SALES  
CORPORATION, CARDIAC PACEMAKERS, INC.  
and BOSTON SCIENTIFIC CORPORATION

DATED: September \_\_, 2006

Respectfully submitted,

## GILLIN, JACOBSON, ELLIS & LARSEN

By: LUKE ELLIS  
KRISTIN LUCEY

Attorneys for Plaintiff EINAR NELSEN, individually and as successor in interest to decedent, CECELIA NELSEN

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**ORDER**  
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4 Pursuant to stipulation, IT IS SO ORDERED.  
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6 Dated: September 8, 2006  
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DATED: September , 2006

Respectfully submitted,

**SHOOK, HARDY & BACON L.L.P.**

By: DANA N. GWALTNEY  
SARA J. ROMANO

Atorneys for Defendants  
GUIDANT CORPORATION, GUIDANT SALES  
CORPORATION, CARDIAC PACEMAKERS, INC.  
and BOSTON SCIENTIFIC CORPORATION

DATED: September 1, 2006

Respectfully submitted,

GILLIN/JACOBSON, ELLIS & LARSEN

By: LUKE ELLIS  
KRISTIN LUCEY

Attorneys for Plaintiff EINAR NELSEN, individually and as successor in interest to decedent, CECELIA NELSEN